

ORIGINAL

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A.W. Chesterton Company

FILED
DISTRICT COURT OF GUAM

OCT 27 2005 *nc*

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

CESS NAVARRO OLMO and RONNIE
PASCUAL FERRERAS,

Plaintiffs,

vs.

A.P. GREEN INDUSTRIES, INC., A.P.
GREEN SERVICES, INC., A.W.
CHESTERTON COMPANY, AMCHEM
PRODUCTS, INC., ARMSTRONG WORLD
INDUSTRIES, INC., ASBESTOS CLAIMS
MANAGEMENT CORPORATION,
BABCOCK & WILCOX COMPANY,
COMBUSTION ENGINEERING, INC., DOW
CHEMICAL COMPANY, DRESSER
INDUSTRIES, INC., FELITALLIC, INC.,
FLINTKOTE COMPANY, FOSTER
WHEELER CORP., GAF CORPORATION,
GARLOCK, INC., GEORGIA-PACIFIC
CORPORATION, HARBISON-WALKER
REFRACTORIES CO., HONEYWELL
INTERNATIONAL, INC., JOHN CRANE,
INC., KAISER GYPSUM COMPANY, INC.,
METROPOLITAN LIFE INSURANCE
COMPANY, OWENS CORNING, OWENS-
ILLINOIS, INC., PITTSBURG CORNING
CORPORATION, QUIGLEY COMPANY,
INC., UNITED STATES GYPSUM
COMPANY, and VIACOM, INC.,

Defendants.

CIVIL CASE NO. CV05-00025

**DEFENDANT A.W. CHESTERTON
COMPANY'S MOTION TO DISMISS
PLAINTIFFS' FIRST AMENDED
COMPLAINT; DECLARATION OF
SERVICE**

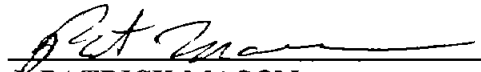
**DEFENDANT A.W. CHESTERTON COMPANY'S
MOTION TO DISMISS COMPLAINT**

Defendant A.W. Chesterton Company ("Chesterton") moves the Court for dismissal of Plaintiffs' First Amended Complaint for lack of jurisdiction over the person of Chesterton pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure and for improper venue pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure.

This motion is supported by the Memorandum of Points and Authorities filed with this Motion, the Plaintiffs First Amended Complaint filed in this action and the Affidavit of Richard Hoyle.

Defendant requests that this motion be set for oral argument at the convenience of the Court.

DATED: Hagåtña, Guam, October 27, 2005.



J. PATRICK MASON
Attorneys for Defendant
A.W. Chesterton Company

DECLARATION OF SERVICE

I, J.PATRICK MASON, hereby declare and state:

1. I am a United States citizen over the age of 18 years;
2. I am an Attorney of the law firm of Carlsmith Ball LLP.
3. On October 27, 2005, I caused to be served a filed copy of DEFENDANT A.W.

CHESTERTON COMPANY'S MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED
COMPLAINT by hand delivery to the following:

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4. On October 27, 2005, I will also cause a copy of said documents to be served on
the following by depositing same with the United States mail in sealed envelopes, postage
prepaid, addressed as follows:

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DATED: Hagåtña, Guam, October 27, 2005.



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